IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 737 OF 2003

Reena Yuvraj Kolhapure ... Petitioner

V/s.

Fr. Alfreid Almieda & Ors. ... Respondents

Mr. Sunil Dighe for petitioner.
Mr. A.G. Kothari for respondent No.2.
Mr. Shekhar Ingawale for respondent No. 1.

CORAM : F.I. REBELLO &
ANOOP V. MOHTA,JJ.
DATED : 6th October, 2006

P.C.

. The matter was placed for filing consent term. On behalf of respondent Nos. 3 & 4, the learned AGP seeks time. Considering the facts, we are clear that this is not a case to grant time and the petition itself can be allowed in view of what is stated at the Bar.

i. The respondent Nos. 1 & 2 admit that the date of appointment of the petitioner is 1st July, 1982. The petitioner on the date of appointment was possessing the qualification of B.A., B.Ed. and was appointed against the vacancy of one Mrs. N. D'Costa who was getting graduate scale. The averments have not been denied either by the Management or the

Department in the affidavit-in-reply. Once that be the case, respondents are directed to correct the Service Book of the petitioner and other pension papers for the purpose of fixing final pension amount within one week from today.

ii. Based on the above, respondent Nos. 3 & 4 shall re-fix the pay scale of the petitioner in the Graduate scale w.e.f. 1st July, 1982 and senior scale w.e.f. 1st July, 1994, after taking into account yearly increments falling due on 1st July every year.

iii. The respondent Nos. 1 and 2 shall prepare necessary salary bills for encashment of leave and arrears of salary arising due to fixation of pay scale of the petitioner as in para (ii) above with a period of four weeks and forward the same not later than two weeks thereafter to the Respondent Nos. 3 and 4 for necessary action and release of arrears in accordance with law within six weeks.

iv. The petitioner shall forthwith forward the pension papers and service book to the respondent No. 1 and 2 for necessary corrections arising due to re-fixation of pay scale of the petitioner as in (ii)

above and the respondent Nos. 1 and 2 shall carry out the necessary corrections within two weeks and forward the same to the respondent Nos. 3 and 4 for release of pension within four weeks. The respondents shall take into account the previous services of the petitioner for computation of pension.

v. The petitioner and the respondent Nos. 1 and 2 confirm that all disputes demands and claims of the petitioner are fully and finally settled in all respects and that there are no pending demands dues or claims against the respondent Nos. 1 and 2 and all such rights, claims or demands whether specified or not will be deemed to have been fully and finally settled.

. Rule made absolute accordingly. No order as to costs.

[F.I. REBELLO, J.]

[ANOOP V. MOHTA, J.]